

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Application 19812)  
(Eastside Division)

U. S. WATER AND POWER RESOURCES  
SERVICE

Applicant

Order: WR 80-22

Sources: Sacramento and American  
Rivers

County: Sacramento

ORDER DENYING EXTENSION OF TIME

BY THE BOARD:

1. Application 19812 has been completed, notice thereof issued, protests have been filed against the application, and answers to the protests have been filed. Further action has been deferred pending congressional approval and resolution of concerns of the State of California.

2. The U. S. Water and Power Resources Service (Service) has requested extension of time under the above application. In July 1979 the Service supplied a report updating the status of the project covered by the application.

3. The update report states the following:

a. The purpose of the Eastside Division is to supply water to alleviate the present groundwater overdraft along the east side of the San Joaquin Valley. That overdraft is about 1,500,000 acre-feet per annum and is increasing each year.

b. The Eastside Division feasibility report has not been processed through Congress for authorization because of the projected size and cost. It is expected that the project will cost over one billion dollars. Authorization of such a sum at this time is doubtful.

c. In the meantime, the Service is developing plans for smaller projects, such as the Cross Valley Canal plan. It has also considered a Mid-Valley Canal in conjunction with the Department of Water Resources, and enlargement of Shasta Dam.

d. The Service expects to reformulate the Eastside Division beginning in fiscal year 1983, and expects authorization by 1990.

4. The Board's regulations contain procedures whereby a hearing can be held before an extension of time is granted. However, the Service has provided a report of the current status of the project and it is unlikely that additional information on diligence would be developed as a result of hearing.

5. The three-party "Memorandum of Understanding Regarding Procedures for Coordination of Water Rights, Environmental Impact Review and Federal Project Authorization" sets forth procedures whereby the Board, the Department of Water Resources and the Service will cooperate in efforts to eliminate conflicts between plans for Federal projects in California and the conditions of water right permits. However, that memorandum does not eliminate the requirement for diligence in proceeding with necessary action on a water right application.

6. The cost of the project will not decrease in the future, but will probably increase. In order to develop an Eastside project that is financially feasible and acceptable to Congress, many changes may have to be made in current plans. The time-table for such changes is uncertain and the resemblance of the final project to the current project is unknown. In this case, it appears that the permittee will not be able to proceed with diligence to develop the project. Therefore, the extension should be denied and Application 19812 should be cancelled.

7. At such time as a feasible Eastside project is planned, a new application can be filed.